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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2007 DEC 21 AM 10: 02

UNITED STATES OF AMERICA, Plaintiff, v. **Alfredo ZARAGOZA-Lopez,** Defendant	Magistrate Docket No. '07 MJ 2955
	COMPLAINT FOR VIOLATION OF:
	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **December 19, 2007** within the Southern District of California, defendant, **Alfredo ZARAGOZA-Lopez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **21st** DAY OF **DECEMBER 2007.**

William McCurine Jr.
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Alfredo ZARAGOZA-Lopez

PROBABLE CAUSE STATEMENT

On December 19, 2007, at approximately 4:35 P.M., Border Patrol Agent J. Griffin, who was performing linewatch operations, witnessed a group of individuals running north near an area commonly known as, Heritage Road. This area is approximately 2.5 miles east of the San Ysidro, California Port of Entry and 500 yards North of the United States / Mexico International Boundary Fence. After a brief foot pursuit, Agent Griffin apprehended four individuals on Heritage Road. Agent Griffin identified himself as a Border Patrol Agent, and conducted an immigration inspection. All four subjects, including one later identified as the defendant **Alfredo ZARAGOZA-Lopez**, admitted to being citizens and nationals of Mexico illegally in the United States, and did not possess any documents that would allow them to legally enter or remain in the United States. All four subjects were arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **December 6, 2005** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights, which he acknowledged and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally.

[signature]
James Trombley
Senior Patrol Agent

[signature]
William McCurine Jr.
U.S. Magistrate Judge

12/21/07, 0926hrs
Date/Time